

HOUSE No. 644

By Mr. Stanley of Waltham (by request), petition of David L. Smith relative to the penalties for the destruction of monuments, graves and tombstones. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE DESTRUCTION OF MONUMENTS, GRAVES, AND TOMBSTONES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 73 of Chapter 272 of the General Laws,
2 as appearing in the 1998 official edition, is hereby amended by
3 striking out, in lines 10 to 12 inclusive, the words “more than five
4 years or by imprisonment in jail or house of correction for not
5 more than two and one half years and by a fine of not more than
6 five thousand dollars” and inserting in place thereof the following
7 words:— less than one year nor more than five years or by impris-
8 onment in the jail or house of correction for not less than one year
9 nor more than two and one half years and by a fine of not less
10 than \$1,000 nor more than \$5, 000 for each count or offense. The
11 words ‘count’ or ‘offense’ shall be mean individual monument,
12 gravestone, or tombstone desecrated, ruined, or destroyed.

1 SECTION 2. Said Section 73 of said Chapter 272 is hereby fur-
2 ther amended by adding the following paragraph:—

3 All monies received from fines imposed or penalties or restitu-
4 tion received through legal actions under this section shall be uti-
5 lized to fund the costs of repair, rehabilitation and replacement of
6 items damaged or destroyed.

1 SECTION 3. Said Section 73 of said Chapter 272 is hereby fur-
2 ther amended by adding the following paragraph:—

3 Any Court ordered Community Service of individuals or groups
4 may be directed to other necessary and similar projects, and
5 should be considered exclusive of other fines, penalties, or restitu-
6 tion received.